

As Of

8/6/2024

PLAINTIFFS' PROPOSED DAMAGES MODEL***Hernandez v Rosso Uptown, Ltd.***

PLAINTIFF NAME	Emanuel DeJesus Lievano
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Dates of Employment

	Month	Day	Year
First Date of Employment	8	1	2016
Last Date of Employment	8	1	2018

Wages/Rates

Year	Rate	Hourly Rate	Overtime Rate (1.5 x Hourly Rate)	Min Wage
2016	\$ 460.00	11.50	\$ 17.25	\$ 9.00
2017	\$ 460.00	11.50	\$ 17.25	\$ 10.00
2018	\$ 530.00	13.25	\$ 19.88	\$ 11.00

Hours Worked

	From	To	Lunch (Hrs)	Hours Worked	SOH
Mon	10:30 AM	10:00 PM	1.00	10.50	11.50
Tue					
Wed	10:30 AM	10:00 PM	1.00	10.50	11.50
Th	10:30 AM	10:00 PM	1.00	10.50	11.50
Fri	10:30 AM	11:00 PM	1.00	11.50	12.50
Sat	10:30 AM	11:00 PM	1.00	11.50	12.50
Sun	11:00 AM	10:00 PM	1.00	10.00	11.00
				SOH Days	
				64.50	6.00

OVERTIME										
From	To	Weeks	Average Hours Worked/Week	Regular Rate	OT Rate	OT Hours	Unpaid OT	Total		
8/1/2016	12/31/2016	22.00	64.50	\$ 17.25	\$ 25.88	24.50	\$ 633.94	\$ 13,946.63		
1/1/2017	12/31/2017	52.00	64.50	\$ 17.25	\$ 25.88	24.50	\$ 633.94	\$ 32,964.75		
1/1/2018	8/1/2018	30.00	64.50	\$ 19.88	\$ 29.81	24.50	\$ 730.41	\$ 21,912.19		
										\$ 68,823.56
SPREAD OF HOURS PAY										
From	To	Weeks	SOH Days/Week		Min Wage		SOH Owed/Wk	Total		
8/1/2016	12/31/2016	22.00	6.00		\$ 9.00		\$ 54.00	\$ 1,188.00		
1/1/2017	12/31/2017	52.00	6.00		\$ 10.00		\$ 60.00	\$ 3,120.00		
1/1/2018	8/1/2018	30.00	6.00		\$ 11.00		\$ 66.00	\$ 1,980.00		
									\$ 6,288.00	
Liquidated Damages										
Overtime	\$68,824									\$ 68,823.56
Spread of Hours Pay	\$6,288.00									\$ 6,288.00
Wage Statement Violations (NYLL 195(3) & 198)					\$ 5,000.00				\$ 5,000.00	
Wage Notice Violations (NYLL 195(1) & 198)					\$ 5,000.00				\$ 5,000.00	
PREJUDGMENT INTEREST										
From	To	Midpoint	Wages	Years	Yearly Interest			TOTAL		
8/1/2016	8/1/2018	8/1/2017	\$ 75,111.56	7.02	\$ 6,760.04			\$47,450	\$ 47,449.93	
								TOTAL	\$ 207,673.05	